

Planning Commission Minutes from May 18, 2006

Docket No. 15-01-06

Case: 15-01-06  
Project: Mockingbird Valley Neighborhood Plan  
Applicant: Louisville Metro Government  
Representative: Louisville Metro Planning and Design Services  
Jurisdiction: Louisville Metro  
Council District: 7 (Fleming)  
9 (Ward-Pugh)  
Request: Review the proposed draft of the Mockingbird Valley Neighborhood Plan and its Executive Summary

**Staff Case Manager: Kendal Baker, AICP**

Notice of this public hearing appeared in The Courier Journal on April 10, 2006.

This is a continuation of the public hearing that was held on April 20, 2006. The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**The following spoke in favor of this request:**

Pat Dominik, Sabak Wilson & Lingo, 315 West Market Street, Louisville, KY 40202

**The following spoke in opposition:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

**AGENCY TESTIMONY:**

Ken Baker reviewed the case and public hearing held on April 20, 2006, and introduced consultant, Pat Dominik, with Sabak and Wilson.

**SUMMARY OF TESTIMONY OF PROPONENTS:**

Pat Dominik, presented testimony in response to questions raised at the meeting on April 20<sup>th</sup>. Mr. Dominik stated that the following revisions have been incorporated into the Plan's recommendations:

- Establish a line of communication with Louisville Water Company, MSD, Metro Public Works, and other utility company representatives to coordinate future utility installation and public drainage or roadway improvements and to minimize site disturbance.
- Designate the Mockingbird Valley Preservation Alliance as the official citizen neighborhood group to receive notice of future development activities in the study area.
- Encourage the multimodal use of Mockingbird Valley Road, as well as secondary local and private roads (as labeled on the street classification map) by bicyclists, walkers and joggers.
- Provide a pedestrian connection along Mellwood Avenue which would link Mockingbird Valley Road to the proposed greenway/bikeway connection along Zorn Avenue.

Mr. Dominik stated that these changes have been reviewed by the Task Force and are acceptable. A summary of these changes was provided to staff for distribution to the Planning Commission for today's meeting. Mr. Dominik said that this plan continues to have broad community support.

**SUMMARY OF TESTIMONY OF OPPONENTS:**

No one spoke in opposition.

**SUMMARY OF TESTIMONY OF THOSE NEITHER FOR NOR AGAINST:**

No one spoke.

**REBUTTAL:**

No rebuttal was needed because there was no opposition.

An audio/visual recording of the Planning Commission hearing related to this case is available in the Planning and Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a copy. The recording of this hearing will be found on the CD of the April 20, 2006 proceedings.

In a business session subsequent to the public hearing on this request, the Commission took the following action.

## **Mockingbird Valley Neighborhood Plan**

On a motion by Commissioner Carlson , the following resolution was adopted:

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with the Goals, Objectives, Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan and Chapter 161 of the Louisville Metro Code of Ordinances; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 1 (Community Form) by recommending solutions that will protect and strengthen the distinct character of the neighborhood and by proposing context-specific design guidelines; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 3 (Compatibility) by recommending design standards that promote development compatible to the existing character and historical development pattern; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 4 (Open Space) by recommending guidelines that promote open space preservation and aim to interconnect corridors of open space within the Mockingbird Valley neighborhood; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 5 (Natural Areas and Scenic and Historic Resources) by recommending guidelines that protect natural areas, natural features and important scenic and historic resources within the Mockingbird Valley neighborhood; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 7 (Circulation) by recommending that road improvement standards to provide safe and proper functioning of the principal roads within the neighborhood while additionally preserving the scenic road character of the area's central corridor, Mockingbird Valley Road ; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 8 (Transportation Facility Design) by recommending the preservation and protection of existing defining elements of the neighborhood's principle corridors such as tree canopy, landscaping, road width, and other characteristics which serve to facilitate the multi-modal and recreational use of the roadways; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 9 (Bicycle, Pedestrian and Transit) by recommending the limitation of roadway improvements to Mockingbird Valley Road that would increase the designated speed and thus discourage continued use of the corridor as a multi-modal recreational amenity; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 10 (Flooding and Stormwater) by recommending the development of guidelines that minimize the degradation of the area's watersheds through promoting practices that limit impervious surfaces, improve recharge areas, and manage stormwater runoff; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 11 (Water Quality) by recommending the development of guidelines that minimize the degradation of water quality through promoting practices that protect stream health; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 13 (Landscape Character) by recommending guidelines that ensure the protection of existing landscape characteristics of the neighborhood through practices such as scenic roadway protection and other elements intended to protect the existing scenic character; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 14 (Infrastructure) by recommending the development of communication methods that address future expansion of utilities and their impact on land character and ecological functions; be it

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the Mockingbird Valley Neighborhood Plan be **ADOPTED**, with the revisions listed within the staff report for the April 20, 2006 public hearing and the additional revisions presented at the May 18, 2006 continuation of the public hearing.

**The vote was as follows:**

**YES: Commissioners: Carlson, Hamilton, Blake, Wells-Hatfield, Queenan, Jones, Abstain, Adams, Howard**

**NO: None**

**ABSTAINING: None**

**Proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan**

On a motion by Commissioner Adams , the following resolution was adopted:

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with the Goals, Objectives, Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan and Chapter 161 of the Louisville Metro Code of Ordinances; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 1 (Community Form) by recommending solutions that will protect and strengthen the distinct character of the neighborhood and by proposing context-specific design guidelines; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 3 (Compatibility) by recommending design standards that promote development compatible to the existing character and historical development pattern; and

**WHEREAS**, the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 4 (Open Space) by recommending guidelines that promote open space preservation and aim to interconnect corridors of open space within the Mockingbird Valley neighborhood; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 5 (Natural Areas and Scenic and Historic Resources) by recommending guidelines that protect natural areas, natural features and important scenic and historic resources within the Mockingbird Valley neighborhood; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 7 (Circulation) by recommending that road improvement standards to provide safe and proper functioning of the principal roads within the neighborhood while additionally preserving the scenic road character of the area's central corridor, Mockingbird Valley Road ; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 8 (Transportation Facility

Design) by recommending the preservation and protection of existing defining elements of the neighborhood's principle corridors such as tree canopy, landscaping, road width, and other characteristics which serve to facilitate the multi-modal and recreational use of the roadways; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 9 (Bicycle, Pedestrian and Transit) by recommending the limitation of roadway improvements to Mockingbird Valley Road that would increase the designated speed and thus discourage continued use of the corridor as a multi-modal recreational amenity; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 10 (Flooding and Stormwater) by recommending the development of guidelines that minimize the degradation of the area's watersheds through promoting practices that limit impervious surfaces, improve recharge areas, and manage stormwater runoff; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 11 (Water Quality) by recommending the development of guidelines that minimize the degradation of water quality through promoting practices that protect stream health; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 13 (Landscape Character) by recommending guidelines that ensure the protection of existing landscape characteristics of the neighborhood through practices such as scenic roadway protection and other elements intended to protect the existing scenic character; and

**WHEREAS**, the proposed amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan is in accordance with Guideline 14 (Infrastructure) by recommending the development of communication methods that address future expansion of utilities and their impact on land character and ecological functions; be it

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the proposed amendment to

the Cornerstone 2020 Comprehensive Plan to incorporate the Executive Summary of the Mockingbird Valley Neighborhood Plan be **APPROVED**, with the revisions listed within the staff report for the April 20, 2006 public hearing and the additional revisions presented at the May 18, 2006 continuation of the public hearing.

**The vote was as follows:**

**YES: : Carlson, Hamilton, Blake, Wells-Hatfield, Queenan, Jones, Abstain, Adams, Howard**

**NO: None**

**ABSTAINING: None**

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**Chairman**

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**Division Director**

## Planning Commission Minutes from April 20, 2006

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Notice of this public hearing appeared in The Courier Journal on April 10, 2006.

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#### **The following spoke in favor of this request:**

Councilman Ken Fleming, 601 West Jefferson Street, Louisville, KY 40202

Pat Dominik, Sabak Wilson & Lingo, 315 West Market Street, Louisville, KY 40202

Beth Davis, 1 Overbrook Road, Louisville, KY 40207

Paul Bickel, 402 Mockingbird Valley Road, Louisville, KY 40207

#### **The following spoke in opposition:**

No one spoke.

#### **The following spoke neither for nor against:**

Anthony Schnell, 1700 PNC Plaza, Louisville, KY 40202

#### **AGENCY TESTIMONY:**



Ken Baker presented the case. He read into the record an excerpt from Cornerstone 2020 describing the goals for neighborhood plan. He said the task force and staff have put in over a year working on this plan.

### **SUMMARY OF TESTIMONY OF PROPONENTS:**

Councilman Ken Fleming, representing Council District #7, thanked the task force and staff members who participated in this effort. He mentioned that Mockingbird Valley is very scenic and deserves preservation of its character and integrity. He said that Councilwoman Tina Ward Pugh (Council District #9) could not be here today but she had asked him to express her support for this plan. Councilman Fleming entered a letter stating his support into the record.

Pat Dominik, from Sabak, Wilson and Lingo, first acknowledged the support this project received from Councilman Fleming's and Councilwoman Ward-Pugh's offices, as well as the task force and members of the community. He said the studied area extends roughly from I-71 in the north, to Brownsboro Road to the south, and Indian Hills in the east to Jarvis Road in the west. There are some properties that extend to River Road. He showed a Power Point presentation showing goals and objectives, and also an analysis of Mockingbird Valley Road. Photos of the site and the surrounding areas were included. He said the average setback along this roadway is 215 feet. Most of the homes along here were constructed in the 19<sup>th</sup> century or early 20<sup>th</sup> century. The setback pattern is important when contrasted with the setbacks in the Land Development Code. He said there are numerous private streets that were not developed through the modern subdivision process.

Mr. Dominik said that Mockingbird Valley Road is classified as a "primary collector road" but does not follow the usual suburban standards. He said the neighbors want to retain the unique, rural character -- they do not want sidewalks, curbs and gutters, or modern suburban Code standards applied to this area. He showed and discussed the development patterns on a map. He said there is much of this property that is not subdivided and much of this area retains its original "homestead" appearance. Mr. Dominik said the task force met with Metro Public Works and the Department of Transportation to discuss mobility issues. He said there were significant discussions about treatments that can be done to the bridge abutment of I-71 as that road is widened over the next ten years or so. He said the State Highway Department was very receptive to those ideas.

Regarding protection of some of the historic resources, Mr. Dominik said there has been a separate effort to nominate this entire study area for a place on the Historic National Register. These recommendations seek to ensure protection of the historic resources.

Mr. Dominik said there were three primary implementation strategies of this plan: one, to create a scenic roadway for Mockingbird Valley Road; two, to support the

designation of the Mockingbird Valley neighborhood to the National Register of Historic Places; and three, to rezone vacant R-4 land to R-1, which is more in keeping with the general lot size and character of the existing neighborhood.

Commissioner Jones asked Mr. Dominik about his meetings with the State Transportation Department, specifically, their discussions about not using Mockingbird Valley Road as a construction staging area for the planned I-71 construction. What were the costs involved? Mr. Dominik said the Highway Department was “very receptive” to the ideas. He said there was no concern from them that this idea would drive up the cost in any way. Commissioner Jones also asked what “quiet pavement” is. Mr. Dominik was not sure. Commissioner Adams gave a brief description.

Commissioner Wells-Hatfield asked about tree replacement, and if he had met with the utility companies to make sure that would not interfere with utility lines. Mr. Dominik said the intent of the plan was, that if a 24-inch caliper tree had to be removed, it would be replaced with eight 3-inch trees, or something that matched the caliper. He said they do have a contact with LG&E, although they have not met with them yet. He said the intent was to be sensitive when integrating utilities in with the landscape.

Commissioner Ernst asked if the owners of the land that had been suggested to be rezoned were aware of this proposal, and what their opinions were about this suggestion. Were they approached about this? Mr. Dominik said the task force participants live there and know most of these owners. There seems to be a general consensus about the rezoning suggestion.

Commissioner Jones said that LG&E has a list of the approved trees to be used in their utility areas, and all of the trees listed on the neighborhood plan are on LG&E’s “approved” list.

Commissioner Blake asked what the process was for creating additional private roads. Commissioner Adams explained about the ordinance stating the procedure for this, and how the process works.

Commissioner Hamilton asked about a comment in the staff report about multi-modal transportation.

Commissioner Adams asked Mr. Dominik if there would be a group of citizens involved in the oversight of this plan as it progresses (specifically, who would be involved in items to come from Louisville Metro Public Works, such as road resurfacing, guardrail issues, culvert replacement, etc.) Mr. Dominik said a group has been formed (“The Mockingbird Valley Preservation Alliance”) that is a neighborhood group which can handle issues like that.

Commissioner Carlson asked about a possible reluctance on the neighbors' part to rezone property from R-4 to R-1. Mr. Baker returned to the podium and presented the staff report, along with a Power Point presentation. He said staff supports general rezoning recommendations in this area. He mentioned a letter from an attorney representing Mr. Stuart Ogden (sp?) who does not want his property included in the proposed future rezoning recommendation. Mr. Baker also elaborated on how the Neighborhood Plan recommendations fit in with Cornerstone 2020.

Commissioner Jones said there was a recommendation for a sidewalk and/or pedestrian trail along Zorn Avenue to connect the neighborhood to the park systems. He asked if this plan would preclude a sidewalk along Mellwood Avenue. Mr. Baker said not necessarily. There was discussion about the possibility of a future pedestrian access to connect this neighborhood to Mellwood Avenue. Mr. Dominik explained the possible future connections in more detail. Commissioner Adams supported the idea of allowing some additional right-of-way to allow a future walking trail.

Beth Davis was called but declined to speak.

Paul Bickel, a member of the task force and also of the Mockingbird Valley Preservation Alliance, thanked those involved in this project.

#### **SUMMARY OF TESTIMONY OF OPPONENTS:**

No one spoke in opposition.

#### **SUMMARY OF TESTIMONY OF THOSE NEITHER FOR NOR AGAINST:**

Anthony Schnell, an attorney representing property owner Stuart Ogden, said Mr. Ogden supports the majority of the whole Neighborhood Plan except for the proposal that his property be rezoned to R-1 from R-4. The reason for this is that, previously a subdivision plan called Mockingbird Springs had been approved by the Planning Commission in 1996. It was part of a development which also included the Hollingworth Place development that is actually outside the Neighborhood Plan area. Because of the length of the Hollingworth Place development, Mr. Ogden did not begin the Mockingbird Springs development. There is a new plan for Mockingbird Springs that is being developed and will be submitted soon to the Planning Commission. The property is bordered on the west and south by R-4 developments. Mr. Ogden has proposed that the front portion that fronts Mockingbird Valley Road not be developed. Mr. Schnell showed the Commissioners the property on a map.

In response to a question from Commissioner Ernst, Jonathan Baker, Legal Counsel for the Planning Commission, described down-zoning and what the Commission's responsibilities/rights are. Charles Cash, Director of Planning and Design Services, further described area-wide rezoning and the process for doing that. In response to a question from Commission Jones, Mr. Baker said that

Cornerstone 2020 states that Neighborhood Plans adopted subsequent to the adoption of Cornerstone 2020 should take precedence over the more general guidelines included in the Comprehensive Plan. Commissioner Ernst asked if this could take away any rights of the property owners, or the rights of the Planning Commission to consider plans. Mr. Cash said no one's rights would be infringed upon; this Neighborhood Plan would give the Commission a "yardstick" by which to measure future development in this area.

**\*note:** During the Business Session, Commissioner Ernst asked that the hearing be re-opened so that Mr. Dominik could return to the podium and provide some clarification regarding sidewalks/walking trails in this area, specifically along Zorn Avenue and Mellwood Avenue. Commissioner Adams discussed creation of right-of-ways with Mr. Dominik.

**REBUTTAL:**

No rebuttal was needed because there was no opposition.

An audio/visual recording of the Planning Commission hearing related to this case is available in the Planning and Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a copy. The recording of this hearing will be found on the CD of the April 20, 2006 proceedings.

In a business session subsequent to the public hearing on this request, the Commission took the following action.

On a motion by Commissioner Carlson, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that this case be **CONTINUED** to the May 18, 2006 Planning Commission hearing to allow further discussion between staff, the task force, and the consultant regarding the issues of down-zoning and sidewalks.

**The vote was as follows:**

**YES:** Commissioners Carlson, Hamilton, Blake, Wells-Hatfield, Queenan, Jones, Abstain, and Adams.

**NO:** Commissioner Ernst.

**NOT PRESENT:** Commissioner Howard.

**ABSTAINING:** No one.

**Planning Commission  
Staff Report**  
April 20, 2006



<b>Case:</b>	15-01-06
<b>Project Name:</b>	Mockingbird Valley Neighborhood Plan
<b>Applicant:</b>	Louisville Metro Government
<b>Representative:</b>	Louisville Metro Planning and Design Services
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	7 (Fleming) 9 (Ward-Pugh)
<b>Case Manager:</b>	Ken Baker, AICP

**Request:**

Review the proposed draft of the Mockingbird Valley Neighborhood Plan and its Executive Summary

**Background**

The pre-planning phase for the Mockingbird Valley Neighborhood Plan began in the Fall of 2004, with Planning and Design Services staff leading this effort, working in conjunction with offices of Metro Council District 7 Ken Fleming and District 9 Tina Ward-Pugh. The task force for the Mockingbird Valley plan was appointed by Mayor Jerry Abramson in October 2004, and work began on the development of the plan. The task force participated in the selection process of the consultant for this plan, Sabak and Wilson. The first official task force meeting, after the hiring of the consultant, was held in May 2005. The task force met monthly, with Planning and Design staff and the consultant. A neighborhood public meeting was held on October 3, 2005 to introduce the plan to the neighborhood, and on February 27, 2006 to present the draft of the final neighborhood plan.

In accordance with Planning and Design's neighborhood plan model, it is mandatory that every neighborhood plan contain a Land Use/Community Form and a Mobility component. This plan also contains an optional component, focusing on Historic Preservation. Each of these components presents recommendations for the Mockingbird Valley neighborhood.

The purpose of the plan was to identify the special characteristics that make up this neighborhood and develop land use policies and standards to ensure that it

remains a historic, environmental, and cultural resource not only for the residents of the neighborhood, but for all of Jefferson County.

### **Staff Recommendation**

Recommendations from the Mockingbird Valley plan can be grouped into three categories: Cornerstone 2020/Land Development Code; Infrastructure/Capital Improvements; and Policy-Programmatic. Only the recommendations related to Cornerstone 2020 and Land Development Code are included in the Executive Summary of the plan and are ultimately intended for adoption as an amendment to Cornerstone 2020. All of the recommendations are compiled in the Plan Implementation section of the Mockingbird Valley Plan (page 19).

### **Cornerstone 2020/Land Development Code Recommendations:**

The Mockingbird Valley plan lists fifteen (15) recommendations from its three components (Land Use/Community Form, Mobility, and Historic Preservation) that are related to Cornerstone 2020/Land Development Code.

### **Staff Comments/Recommendations:**

The above referenced recommendations are recommended for approval by staff with the following staff comments:

Recommendation 2 states: *"Re-zone portions of the study area from R-4 to R-1 zoning as shown on the Area to be Re-Zoned map on page A3 to ensure more compatible density."*

Staff supports this general rezoning concept for this area. R-1 zoning exists in the neighborhood, adjacent to the proposed rezoning area, and the R-1 classification is consistent with the existing intensity in the proposed area of rezoning.

Staff received a letter from the attorney representing Stewart Ogden, who owns the property located at 402 Mockingbird Valley Road which is included in the property recommended for rezoning from R-4 to R-1. This property previously was approved for a single family residential subdivision under Docket No. 10-19-96. A section of that subdivision was developed, however a 19-acre parcel remains containing the existing home resided in by Mr. Ogden when he is in town. The approved preliminary subdivision plan for this land has now expired, and Mr. Ogden will be required to file a new application for a preliminary subdivision plan for this parcel. The attached letter outlines Mr. Ogden's plan to develop this property into a total of ten lots and his request for his property to not be included in the re-zoning recommendation. The Commission may wish to consider these circumstances and Mr. Ogden's comments regarding this site. Of course, the actual re-zoning of any land in this neighborhood will be considered

in an areawide re-zoning process that would occur after the neighborhood plan's adoption.

Recommendations 4 through 8 address tree preservation and tree planting recommendations appropriate for the existing natural habitat of this area.

Recommendations 9 through 13 generally address the design, detail, and orientation of potential new residential development along Mockingbird Valley Road.

Mobility Recommendation 1 states: *"Assure that existing private roads remain private and allow new private roads to be developed."*

As the plan discusses, private roads are more the rule, rather than the exception throughout this neighborhood. Although this is not the typically preferred mode of roadway development, it seems to work and to be appropriate in this neighborhood. This recommendation has been reviewed, without objection, by Metro Public Works.

Historic Resources Recommendation 1 states: *"Create a scenic roadway designation for all of Mockingbird Valley Road to ensure future protection for the rural character of the road."*

Staff supports this recommendation in that it supports the overall preservation goals of this plan, and it complements the neighborhood's efforts for designation to the National Register of Historic Places.

#### **Infrastructure/Capital Improvements Recommendations:**

The Mockingbird Valley plan lists sixteen (16) recommendations from its three components (Land Use/Community Form, Mobility, and Historic Preservation) that are related to Infrastructure/Capital Improvements.

#### **Staff Comments/Recommendations:**

The above referenced recommendations are recommended for approval by staff, with the following revisions/comments.

Recommendation 1 states: *"Ensure that Mockingbird Valley Road remains a two-lane scenic roadway."*

This is a crucial element for the preservation of the character of this neighborhood. For the purpose of review of future development proposals, staff suggests that this recommendation be classified as a Land Use/Community Form recommendation, and therefore become a part of the Executive Summary of the Plan and adopted as an amendment to Cornerstone 2020.

Recommendation 4 states: "Encourage the multi-modal use of secondary local and private roads as labeled on the Street Classifications Map (page 17) by bicyclists, walkers and joggers."

Recommendation 4 supports Recommendation 6, which recommends no sidewalks along Mockingbird Valley Road. Staff suggests Recommendations 4 be revised to include Mockingbird Valley Road to be encouraged for multi-modal use (along with the local and private roads). The primary access to the local and private roads for bicyclists, walkers, and joggers is by way of Mockingbird Valley Road.

Recommendation 5 states: *"Permit no curbs or gutters along Mockingbird Valley Road. Encourage the use of native materials rather than concrete curbs where necessary in adjacent developments."*

Staff suggests that this recommendation be made into two recommendations. *"Permit no curbs or gutters along Mockingbird Valley Road"* should be classified as a Land Use/Community Form recommendation, and therefore become a part of the Executive Summary of the Plan and adopted as an amendment to Cornerstone 2020. *"Encourage the use of native materials rather than concrete curbs where necessary in adjacent developments"* should remain a Mobility Recommendation.

Recommendation 6 states: *"Require no sidewalks along Mockingbird Valley Road. The design standards and recommendations contained herein shall be justification for a waiver."*

Staff suggests that Recommendation 6 be classified as a Land Use/Community Form recommendation, and therefore become a part of the Executive Summary of the Plan and adopted as an amendment to Cornerstone 2020.

Recommendations 10 through 14 focus on future improvements planned for Interstate 71. These recommendations would be forwarded to the Kentucky Department of Transportation for its consideration with the goal to mitigate the impacts of that construction process on the Mockingbird Valley neighborhood.

#### **Policy-Programmatic Recommendations:**

The Mockingbird Valley plan lists four recommendations from Land Use/Community Form and Historic Preservation components that are related to Policies and Programs.

#### **Staff Comments/Recommendations:**

The above referenced recommendations are recommended for approval by staff with the following comments.



Land Use/Community Form Recommendation 1 states: *"Establish a methodology for communication with utility companies regarding future expansion within the study area and develop practical solutions to minimize construction impacts."*

This recommendation supports developing a better system of communication between Metro agencies and utility companies for the benefit of this neighborhood and the community as a whole.

Historic Resources Recommendation 1 states: *"Support the designation of the Mockingbird Valley Neighborhood to the national Register of Historic Places."*

Since its initiation, this neighborhood plan process has been proceeding in concert with the neighborhood's efforts to seek a National Register of Historic Places Nomination for the entire Mockingbird Valley Neighborhood. These two processes have worked hand-in-hand with each other, and this recommendation supports that coordinated effort.

### **Summary of Staff's Recommendations for Revisions:**

#### **Infrastructure/Capital Projects Recommendations:**

- *Categorize Mobility Recommendation 1 (Ensure that Mockingbird Valley Road remains a two-lane scenic roadway.) as a Land Use/Community Form recommendation; list this recommendation under Mobility in the Summary of Recommendations in the Executive Summary.*
- *Amend Mobility Recommendation 4 to state: "Encourage the multi-modal use of Mockingbird Valley Road, as well as local and private roads, as labeled on the Street Classifications Map (page 17), by bicyclists, walkers and joggers."*
- *Amend Mobility Recommendation 5 into two recommendations: "Permit no curbs or gutters along Mockingbird Valley Road" should be categorized as a Land Use/community Form recommendation and listed under Mobility in the Summary of Recommendations in the Executive Summary. Mobility Recommendation 5 should state: "Encourage the use of native materials rather than concrete curbs where necessary in adjacent developments."*
- *Categorize Mobility Recommendation 6 (Require no sidewalks along Mockingbird Valley Road. The design standards and recommendations contained herein shall be justification for a waiver.) as a Land Use/Community Form recommendation; list this*

*recommendation under Mobility in the Summary of  
Recommendations in the Executive Summary.*

## **Staff Findings**

The following Guidelines of Cornerstone 2020 Plan Elements support the listed recommendations contained in the Mockingbird Valley Neighborhood Plan. (See plan document for specific language of each recommendation.)

### **Guideline 1 Community Form/Land Use**

Cornerstone 2020/LDC: LU 1, 9

### **Guideline 3 Compatibility**

Cornerstone 2020/LDC: LU 1, 2, 3, 9, 10, 11, 12, 13  
Infrastructure and Capital Improvements: M2, 8, 9

### **Guideline 4 Open Space**

Cornerstone 2020/LDC: LU 13  
Infrastructure and Capital Improvements: M3, 4

### **Guideline 5 Natural Areas and Scenic and Historic Resources**

Cornerstone 2020/LDC: LU 13  
Infrastructure and Capital Improvements: M5, 6; H1  
Policy and Program: H1, 2, 3

### **Guideline 7: Circulation**

Cornerstone 2020/LDC: LU 11

### **Guideline 8: Transportation Facility Design**

Cornerstone 2020/LDC: M1; H1  
Infrastructure and Capital Improvements: M1, 8, 9, 11-14

### **Guideline 9: Bicycle, Pedestrian and Transit**

Infrastructure and Capital Improvements: M3, 4

### **Guideline 10: Flooding and Stormwater**

Infrastructure and Capital Improvements: LU1

**Guideline 11: Water Quality**

Cornerstone 2020/LDC: LU11

**Guideline 13: Landscape Character**

Cornerstone 2020/LDC: LU 4-8, 13

**Guideline 14: Infrastructure**

Policy and Program: LU1

**Attached Documents / Information**

Attached is the comprehensive plan guidelines discussed within the staff findings.

**Notification**

This request was noticed in accordance with KRS 100 requirements. Staff also informed those parties specifically interested in this neighborhood plan as well as registered neighborhood groups.